

EXHIBIT B



National Transportation Safety Board
Washington, D.C. 20594

November 26, 2018

Mr. Timothy Klenk
428 Royal Bonnet Court
Fort Myers, Florida 33908

Re: National Transportation Safety Board (NTSB)
Freedom of Information Act (FOIA) No. FOIA-2018-00338
July 17, 1996 East Moriches, NY (DCA96MA070)

Dear Mr. Klenk:

This letter responds to your FOIA request for information regarding the above referenced accident. In your request, you seek the following items:

1. Test Results of Noise on Cockpit Voice Recorder: documents showing the results of the test conducted by experts at the University of Southampton on the tape of the loud sound on the cockpit voice recorder of TWA Flight 800 ("F800") to determine whether the sound was from a high velocity or a low velocity explosion or other fact.
2. Satellite Pictures of F 800: All Documents, including satellite pictures, electronic images and videotapes depicting (1) a missile hitting F800; and (2) F800 and its wreckage from 8:30 to 8:35 p.m. local time on July 17, 1996.
3. Contents of F800 Flight Data Recorder: The contents of F800's flight data recorder ("black box") on July 17, 1996, and any Documents interpreting its contents.

Many of the documents responsive to your request under the FOIA involve documents and records that are included in what is known as our public docket. The public docket contains Board reports and supporting documents and is available on-line at <https://dms.nts.gov/pubdms/>.

Regarding item 1, of your request, I determined that a few other documents, which total 332 pages, are exempt from the FOIA under 5 U.S.C. § 552(b)(5) ("Exemption 5"), which exempts from disclosure "inter-agency or intra-agency memorandums or letters that would not be available by law to a party other than an agency in litigation with the agency, provided that the deliberative process privilege shall not apply to records created 25 years or more before the date on which the records were requested." Exemption 5 exempts from disclosure agency records that are preliminary and deliberative. National Wildlife Fed'n

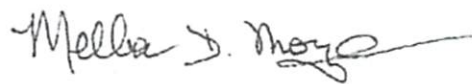
v. Forest Serv., 861 F.2d 1114 (9th Cir. 1988); Jowett, Inc. v. Department of the Navy, 729 F. Supp. 871 (D.D.C. 1989). Overall, Exemption 5 justifies withholding material that reflects the Safety Board's deliberative process from disclosure in order to ensure the free flow of information during the course of our investigations and other projects. Mead Data Cent., Inc. v. Department of the Air Force, 566 F.2d 242, 256 (D.C. Cir. 1977). Pursuant to this exemption, I withheld draft correspondence, preliminary and analytical information.

Please note that we did not locate records regarding item 2 of your request and in reference to item 3, the contents of the flight data recorder (FDR) can no longer be made available, because the computer archive has become inaccessible (old technology no longer supported). At this time, all we can offer is what is available in the docket: <https://dms.nts.gov/pubdms/search/dockList.cfm?mKey=11011>

The NTSB has concluded processing your FOIA. No fees are being charged for processing the request. You may contact Tamara Crawford, the analyst who processed your request, as well as our FOIA Public Liaison at 202-314-6540 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration (NARA) to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: OGIS, NARA, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with the response to this request, you may administratively appeal by writing to the NTSB, Attn: Mr. Dennis Jones, Managing Director, 490 L'Enfant Plaza, SW, Washington, D.C. 20594. Your appeal must be postmarked or electronically transmitted within 90 days of the date of the response to your request.

Sincerely,

A handwritten signature in dark ink, appearing to read "Melba D. Moyer", with a long horizontal flourish extending to the right.

Melba D. Moyer
FOIA Officer